

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	8:04CR294
Plaintiff,	)	
	)	
v.	)	USM No: 13896-047
	)	
GLENN E. WAGNER,	)	<u>David R. Stickman</u>
Defendant.	)	Defendant's Attorney
Date of previous judgment: May 11, 2005	)	
Date of prior sentence reduction: August 13, 2008	)	

**Order Regarding Motions for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motions of the Defendant under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motions,

**IT IS ORDERED:** the unopposed motion (Filing No. 262) is GRANTED; the stipulation (Filing No. 263) is approved; the Defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 188 months, later reduced to 151 months, is reduced to 121 months; and the Defendant's pro se motion (Filing No. 258) is denied as moot.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

Previous Offense Level: <u>35</u>	Amended Offense Level: <u>31</u>
Criminal History Category: <u>II</u>	Criminal History Category: <u>II</u>
Previous Guideline Range: <u>188</u> to <u>235</u> months	Amended Guideline Range: <u>121</u> to <u>151</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

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The reduced sentence is within the amended guideline range.

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The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

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Other (explain):

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated May 11, 2005, shall remain in effect. The fine range is \$15,000-\$4,000,000.

**IT IS SO ORDERED.**

Dated this 20<sup>th</sup> day of December, 2011  
Effective Date: December 20, 2011

s/Laurie Smith Camp  
Chief United States District Judge